

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JERRY LEE LEWIS,

Plaintiff,

v.

JEROME SWEENEY, BRIAN KOOL,  
JOHN KUSSMAUL, MARY TAYLOR,  
JEREMY McDANIELS and JARED BARR,

Defendants.  
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ORDER

13-cv-457-bbc

Pro se prisoner Jerry Lee Lewis is proceeding on a claim that various prison officials violated his rights under the Eighth Amendment by using painful restraints on him from March 2012 to May 2012 even though less painful alternatives were available. On December 2, 2013, Magistrate Judge Stephen Crocker held a preliminary pretrial conference in which he set a case schedule, including a July 18, 2014 deadline for filing dispositive motions and a February 2, 2015 trial date. Dkt. #21.

Now before the court is a motion in which plaintiff seeks an order requiring prison officials to allow him to use the law library. Accompanying plaintiff's motion is a request to prison officials dated January 13, 2014, in which he stated that he had not received responses to previous requests to use the law library. Dkt. #24-1. A response dated the same day states, "Law library has been restricted to priority list only," without explaining

why or how long the restriction would last. Id.

Plaintiff's motion appears to be moot now. Defendants submitted an affidavit from an official at the prison who avers that access to the law library was limited as a result of a lockdown, but that the prison "resumed its normal operation" on January 21, 2014 so that plaintiff is free to use the library again. Ray Aff., dkt. #26. Although this motion might have been avoided had prison officials told plaintiff the reason for the restriction or its temporary nature when he asked them about it, he does not identify any prejudice he suffered related to his ability to litigate this case, so I see no reason to take additional action at this time.

#### ORDER

IT IS ORDERED that plaintiff Jerry Lee Lewis's motion for an order to use the law library, dkt. #24, is DENIED as moot.

Entered this 28th day of January, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge